

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF ILLINOIS**

CATHERINE ALEXANDER,

Plaintiff,

vs.

TAKE-TWO INTERACTIVE SOFTWARE,
INC.; 2K GAMES, INC.; 2K SPORTS INC.;
WORLD WRESTLING ENTERTAINMENT,
INC.; VISUAL CONCEPTS
ENTERTAINMENT; YUKE'S CO., LTD.;
YUKES LA INC.,

Defendants.

Case No. 3:18-cv-00966

**WORLD WRESTLING ENTERTAINMENT, INC.'S MOTION
TO STAY DISCOVERY PENDING RESOLUTION OF
MOTION TO DISMISS FOR LACK OF PERSONAL JURISDICTION**

Pursuant to Rule 26 of the Federal Rules of Civil Procedure and the Court's inherent authority, Defendant World Wrestling Entertainment, Inc. ("WWE") hereby moves for a stay of merits-based discovery pending resolution of WWE's motion to dismiss for lack of personal jurisdiction. In support thereof, WWE states as follows:

1. Plaintiff filed her original complaint in this action on April 17, 2018. *See* Doc. 1.
2. On July 9, 2018, WWE filed its motion to dismiss for lack of personal jurisdiction in response to Plaintiff's original complaint. *See* Doc. 51.
3. On July 18, 2018, Plaintiff served jurisdictional discovery on WWE.
4. On August 17, 2018, WWE fully responded to Plaintiff's jurisdictional discovery.
5. On September 5, 2018, Plaintiff filed a motion for leave to file an amended complaint with a proposed amended complaint attached. *See* Doc. 65.

6. After the Court granted Plaintiff's motion for leave (Doc. 75), on October 2, 2018, Plaintiff filed her First Amended Complaint. *See* Doc. 76.

7. Plaintiff's First Amended Complaint does not cure the jurisdictional defects that WWE identified in its motion to dismiss the original complaint. Accordingly, WWE intends to renew its motion to dismiss for lack of personal jurisdiction when it pleads in response to Plaintiff's amended complaint on substantially the same grounds previously asserted.

8. On September 14, 2018, Plaintiff served broad merits-based discovery on WWE. WWE's responses to such discovery are due on October 15, 2018.

9. For the reasons set forth in the accompanying Memorandum of Law in support of this Motion, good cause exists to stay merits-based discovery because, *inter alia*, (i) WWE's motion to dismiss for lack of personal jurisdiction raises a threshold issue that can and should resolve the claim against WWE in its entirety; (ii) if WWE is required to respond to merits-based discovery, WWE risks being deemed to have waived its objections to personal jurisdiction; and (iii) Plaintiff will not suffer any prejudice from a stay of merits-based discovery pending resolution of WWE's motion to dismiss for lack of jurisdiction.

10. WWE certifies that it has in good faith conferred with Plaintiff in an effort to resolve the dispute without court action and the parties were unable to resolve the dispute.

WHEREFORE, the Court should grant WWE's Motion and enter an Order staying merits-based discovery until the Court rules on WWE's motion to dismiss for lack of personal jurisdiction.

Dated: October 11, 2018

Respectfully submitted,

/s/ Curtis B. Krasik
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*Attorneys for Defendant World Wrestling
Entertainment, Inc.*

CERTIFICATE OF SERVICE

I hereby certify that on October 11, 2018, I electronically filed the foregoing World Wrestling Entertainment Inc.'s Motion to Stay Discovery Pending Resolution of Motion to Dismiss with the Clerk of Court using the CM/ECF system, which will send notification of such filing to the following:

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